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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,451	01/26/2001	Masanori Wakai	35.G2720	5447

5514 7590 12/04/2003

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EXAMINER

NGUYEN, JENNIFER T

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 12/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/769,451

Applicant(s)

WAKAI ET AL.

Examiner

Jennifer T Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 153 and 155 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 153 and 155 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's election with traverse of claims 1-6, 153, and 155 in Paper No. 8 is acknowledged. The traversal is on the ground(s) that species A (Figs. 1-14), species B (Figs. 15-103 and 115-12), species C (Figs. 104-114), and species D (Figs. 127-150). This is not found persuasive because the species A directed to a position information processing apparatus, species B directed to an operation apparatus with angle-change interpreting means, species C directed to an operation apparatus with fixed and moving positional relationship, and species D directed to an operation apparatus with page-operation. The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6, 153, and 155 are rejected under 35 U.S.C. 102(b) as being anticipated by Yasutake (U.S. Patent No. 5,483,261).

Regarding claims 1, 153, and 155, referring to Figs. 1-13, Yasutake teaches a position information processing apparatus (135) for processing position information comprising: a designated position detector means for concurrently detecting a plurality of designated positions; a designated position storage means for storing the plurality of designated positions detected by the designated position detector means; and a travel path recognizer means for recognizing the travel paths of the plurality of designated positions based on the plurality of preceding designated

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positions stored in the designated position storage means and the plurality of current designated positions detected by the designated position detector means (from col. 3, line 41 to col. 4, line 23, col. 5, lines 42-58, and from col. 6, line 20 to col. 7, line 49).

Regarding claim 2, Yasutake further teaches the travel path recognizer means recognizes the travel paths of the plurality of designated positions by treating one of the plurality of preceding designated positions, closest to each of the plurality of current designated positions, as the preceding designated position of the current designated position (from col. 6, line 20 to col. 7, line 49).

Regarding claim 3, Yasutake further teaches a designated-area detector means for detecting an area of a designated position, and a designated-area storage means for storing an area detected by the designated-area detector means, wherein the travel path recognizer means recognizes the travel paths of the plurality of designated positions by treating one of the plurality of preceding designated positions having an area, closest to the area of each of the plurality of current designated positions, as the preceding designated position of the current designated position (from col. 3, line 41 to col. 4, line 23, col. 5, lines 42-58, and from col. 6, line 20 to col. 7, line 49).

Regarding claim 4, Yasutake further teaches the designated position detector means is a touch-panel-type detector means (see abstract).

Regarding claim 5, Yasutake further teaches the designated position detector means comprises: an image-pickup means for picking up a scene in which an operator designates a position; and a designated-position recognizer means for recognizing the designated position

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from the image of the scene picked up by the image-pickup means (from col. 3, line 41 to col. 4, line 23, col. 5, lines 42-58, and from col. 6, line 20 to col. 7, line 49).

Regarding claim 6, Yasutake further teaches the designated position detector means detects the position of a fingertip of an operator (col. 4, lines 1-30).

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Pryor (U.S. Patent No. 6,008,800) teaches man machine interfaces for entering data into a computer.

Yasutake (U.S. Patent No. 6,597,347) teaches methods and apparatus for providing touch sensitive input.

Murasaki et al. (U.S. Patent No. 5,867,158) teaches data processing apparatus.

Rekimoto et al. (U.S. Patent No. 6,414,672) teaches information input apparatus.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jennifer T. Nguyen** whose telephone number is **703-305-3225**.

The examiner can normally be reached on Mon-Fri from 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reach at **703-305-4709**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC. 20231


Or faxed to: 703-872-9306 (for Technology Center 2600 only)

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, sixth-floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone
number is 703-306-0377.

Jennifer T. Nguyen
11/26/2003



RICHARD HJERPE
SUPERVISORY TALENT EXAMINER
TECHNOLOGY CENTER 2600